

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANITA CHRISTIE,

Plaintiff,

v.

BRENT NELSON, JAMES LUCAS,
KATHERINE NELSON, CYBERRECORD, INC.,
et al.,

Defendants.

No. C05-0775MJP

ORDER DENYING DEFENDANT
JAMES LUCAS' MOTION TO
DISMISS FOR LACK OF SUBJECT
MATTER JURISDICTION

This matter comes before the Court on Defendant James Lucas' Motion to Dismiss for Lack of Subject Matter Jurisdiction. (Dkt. No. 12). Defendant Lucas alleges that diversity jurisdiction does not exist in this case because both he and Plaintiff reside in California. Without complete diversity, he reasons, the Court lacks subject matter jurisdiction in this case and should dismiss it pursuant to Fed. R. Civ. P. 12(b)(1). Plaintiff Christie has not responded to this motion. Upon a closer look at Ms. Christie's Complaint (Dkt. No. 1), however, the Court notices that Ms. Christie is alleging violations of the Securities Exchange Act of 1934, 15 U.S.C. §78a, *et seq.* Because this is a claim made under a federal statute, the Court has jurisdiction of this matter under 28 U.S.C. §1331, and also has supplemental jurisdiction over the related state law causes of action under 28 U.S.C. §1367. Accordingly, the Court DENIES Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction.

1 The Clerk of the Court shall direct a copy of this order be sent to all counsel of record.

2 Dated: September 7th , 2005.

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7 Marsha J. Pechman
8 United States District Judge
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